

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MARGUERITE HOFFMAN,

PLAINTIFF,

v.

**L&M ARTS, DAVID MARTINEZ and
STUDIO CAPITAL, INC.,**

DEFENDANTS.


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No. 3:10-CV-0953-D (BF)

ORDER

Pursuant to the District Court's Orders of Reference, Defendant Studio Capital, Inc.'s Motion to Compel (doc. 1) in case number 3:11-CV-02295 was referred to the United States Magistrate Judge.¹ This motion was filed on August 15, 2011. Respondent Greenberg Van Doren Gallery filed a timely response (doc. 11) on September 1, 2011. Defendant filed his reply (doc. 16) on September 15, 2011. After careful consideration of the motion, the Court finds the motion is DENIED AS MOOT. It is, hereby, ORDERED that each party shall be responsible for their own attorney's fees and expenses associated with this motion, as this Court finds that the motion was justified at the time it was filed and then subsequently became moot when Respondent reviewed its tapes, which were the sole subject of the motion.

SO ORDERED, October 25, 2011.



PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE

¹ On September 16, 2011, an Order was issued by the Chief Judge Sidney A. Fitzwater consolidating case number 3:11-CV-02295 with case number 3:10-CV-0953 (doc. 123). Thus, case number 3:11-CV-02295 is now closed.